

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PHYTO TECH CORP.
d/b/a BLUE CALIFORNIA,

Plaintiff,

Civil Action No. 19-cv-09033-JGK

v.

GIVAUDAN SA,

Defendant.

GIVAUDAN SA'S NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Givaudan SA hereby appeals to the United States Court of Appeals for the Second Circuit from:

- the Court's Order Approving Liquidating Trustee's Final Report and Granting Motion For Approval of the Trustee's Proposed Wind Up and Dissolution of BGN Tech, LLC, (dkt. 100), and any orders and rulings supporting the foregoing; and
- the Court's Memorandum Opinion and Order dated November 21, 2022, and filed under seal (dkt 101).

DATED: December 21, 2022

GOLDBERG SEGALLA LLP

/s/ Ryan Pitman

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served on this day, December 21, 2022, via the Court's ECF system.

/s/ Ryan Pitman

Ryan G. Pitman